

NOT INCLUDED
IN BOUND VOLUMES

PHMc
Atlanta, GA

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

FOUR SEASONS ENVIRONMENTAL, INC.

Employer

and

Case 10-RC-144025

INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL 926

Petitioner

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board, by a three-member panel, has considered objections to an election held February 19, 2015, and the hearing officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 102 for and 72 against the Petitioner, with 2 blank ballots and 0 challenged ballots.

The Board has reviewed the record in light of the exceptions and briefs, has adopted the hearing officer's findings¹ and recommendations, and finds that a certification of representative should be issued.

¹ The Employer has excepted to some of the hearing officer's credibility findings. The Board's established policy is not to overrule a hearing officer's credibility resolutions unless the clear preponderance of all the relevant evidence convinces us that they are incorrect. *Stretch-Tex Co.*, 118 NLRB 1359, 1361 (1957). We have carefully examined the record and find no basis for reversing the findings.

In addition, some of the Employer's exceptions allege that the hearing officer's rulings, findings, and conclusions demonstrate bias and prejudice. On careful examination of the hearing officer's report and the entire record, we are satisfied that the Employer's contentions are without merit.

The Employer also excepts to several procedural and evidentiary rulings made by the hearing officer. After a close review of the record, we are satisfied that the hearing officer's rulings did not prejudice the Employer in the presentation of its case.

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for International Union of Operating Engineers, Local 926, and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

All full-time and regular part-time electricians, general maintenance workers, HVAC, plumbers/pipefitters, plumbers, pipefitters, carpenters/painters, millwrights, HVAC refrigeration, electronic technicians, lawn and garden personnel, personnel assistants, stationary engineers, general mechanics, groundskeepers, boiler technicians, gas operators and leads employed by the Employer at its facilities located at 1600 Clifton Road, NE, Atlanta, Georgia; 4770 Buford Highway, Chamblee, Georgia; 692 Webb Gin House Road, Lawrenceville, Georgia; and 3719 N. Peachtree Road, Chamblee, Georgia; but excluding all office clerical employees, guards and supervisors as defined by the Act.

Dated, Washington, D.C.,

Mark Gaston Pearce, Chairman

Kent Y. Hirozawa, Member

Lauren McFerran, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD